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SUBJECT: CONSUL GENERAL'S FAREWELL CALL ON LEGISLATIVE
COUNCIL PRESIDENT JASPER TSANG

REF: HONG KONG 1303

Classified By: Consul General Joe Donovan for reasons 1.4 (b) and (d).

¶1. (C) During the Consul General's July 15 farewell call on Legislative Council (LegCo) President Jasper Tsang, the CG reiterated that the USG attached importance to Chief Executive Donald Tsang's July 2009 statements that he would proceed with political consultations to prepare a constitutional reform package for the 2012 elections. The CG expressed hope that all parties would show flexibility in reaching compromises on contentious, fundamental political issues such as the composition of LegCo, and the process of electing LegCo members. Jasper Tsang agreed, saying, "Everyone will be disappointed if we can't take a step forward in 2012."

¶2. (C) The CG asked Tsang to comment on the July 14 decision by the Court of First Instance that enables a judicial review of LegCo select committee powers to summon testimony and documents from individuals (reftel). Tsang said, "My legal advisor believes there is no chance we'll be successfully challenged." He noted that Hong Kong's Legislative Council (Powers and Privileges) Ordinance of 1985 remains in full effect, as the Ordinance was included in the list of laws deemed compatible with Hong Kong's post-handover constitution. Tsang asserted that the Ordinance enables the LegCo to establish and empower select committees with the right to compel the appearance of witnesses. (Note: Section nine of the Ordinance appears to support Tsang's comments. It empowers the LegCo -- or a standing committee authorized by a LegCo vote -- to order the attendance of a witness and "any paper, book, record or document in the possession or under the control of such person." End note.). Tsang discounted the court case, saying it would "not seriously affect" the LegCo's work.

¶3. (C) In concluding the meeting, the CG thanked Tsang for his efforts in ensuring the success of U.S. House of Representatives Speaker Nancy Pelosi's recent congressional delegation visit to Hong Kong. The CG said the Consulate General will continue to encourage visits to Hong Kong by U.S. Congressmen.
DONOVAN